

Worksession

**MEMORANDUM**

April 11, 2011

TO: Planning, Housing, and Economic Development Committee  
FROM: Jeff Zyontz, <sup>JS</sup>Legislative Attorney  
SUBJECT: FY12 Operating Budget: NDA – Historic Preservation Commission

Scott Whipple, Historic Preservation Supervisor is expected to attend this worksession.

This packet contains:

	<u>© number</u>
Executive's Recommended HPC and Historical Society Budget (Page 68-8)	1
HPC's Budget (MNCPPC – Pages 224-225)	2 – 3
HPC's Request to the Executive	4

**Overview**

The Executive has recommended a grant of \$254,840 to the Historic Preservation Commission (HPC).<sup>1</sup> The budget recommended by the Executive and requested by M-NCPPC is the same as last year's request.

	<b>FY09 Actual</b>	<b>FY10 Actual</b>	<b>FY11 Actual</b>	<b>FY12 Proposed</b>
Support for the Historic Preservation Commission	\$254,840	\$254,840	\$254,840	\$254,840
Historic Preservation Grant Fund	\$30,000	\$30,000	0	0
Maryland Historic Grant (Certified Local Governments)	\$21,280	\$23,000*	0	0
County Matching Funds for State Grant (CLG)	\$6,000	\$6,000	0	0
Total	\$312,120	\$313,840	\$254,840	\$254,840

\* In FY10, \$25,000 was approved by the County Council for a State Grant. However, we actually received \$23,000 in FY10 through the Maryland Historical Trust Certified Local Government Grant Program.

<sup>1</sup> The total non-departmental account for historic preservation is \$287,090. The Historical Society received \$32,250 in FY11 and is recommended for the same amount in FY12.

### ***Support to the Historic Preservation Commission***

The HPC is an independent agency staffed by Maryland-National Park and Planning Commission (M-NCPPC) employees. This funding is to operate the program, including administering Historic Area Work Permit (HAWP) applications, processing tax credit applications, and advising owners of historic properties. A building permit application on any historic property triggers the requirement for a HAWP. An application fee is not charged for a HAWP beyond the regular building permit fee. In FY10, 129 HAWPs were processed. In addition, staff reviewed and processed 48 Historic Preservation tax credit applications.

The M-NCPPC request for support for the HPC is for \$254,840, the same amount that was approved in FY11.

### ***Historic Preservation Grant Fund***

The Historic Preservation Grant Fund is administered through the HPC for awards to County groups for historical projects. It provides matching grants to small, non-profit community groups around the County to do educational and interpretive programs. The fund is one of the few ways the HPC can generate outreach opportunities and educational projects that make preservation real to the public at large. This appropriation remained at \$30,000 for several years. Last year, the Historic Preservation Grant Fund was cut completely.

### ***Maryland Historic Grant***

This is a matching grant from the State that is passed through the County to M-NCPPC for historical projects. The County is required to match the funds contributed by the State, and a minimum of \$6,000 of the County's match must be in cash. No funds will be requested because of the lack of matching funds.

### **Staff Recommendation**

Staff recommends approval of this budget as recommended by the County Executive.

**FUNCTIONAL PLANNING AND POLICY**

Summary of Annual Comparisons by Major Object	Actual FY09	Actual FY10	Budget FY11	Proposed FY12
Personnel Services	\$0	\$0	\$0	\$2,272,400
Supplies & Materials	\$0	\$0	\$0	\$3,600
Other Services & Charges	\$0	\$0	\$0	\$78,000
Capital Outlay	\$0	\$0	\$0	\$0
Sub Total	\$0	\$0	\$0	\$2,354,000
Chargebacks	\$0	\$0	\$0	(\$254,800)
Total	\$0	\$0	\$0	\$2,099,200
Positions/Workyears Full-Time Career	0.00	0.00	0.00	17.00
Positions/Workyears Part-Time Career	0.00	0.00	0.00	1.00
Positions/Workyears Total Career	0.00	0.00	0.00	18.00
Positions/Workyears Term Contract	0.00	0.00	0.00	0.00
Seasonal/Intermittent	0.00	0.00	0.00	0.00
Chargebacks	0.00	0.00	0.00	(3.00)
Less Normal Lapse	0.00	0.00	0.00	0.00
Less Unfunded Workyears	0.00	0.00	0.00	0.00
Workyears Total	0.00	0.00	0.00	14.50

**DIVISION GOAL**

The goal of the Functional Planning and Policy Division is to provide centralized, broad strategic assessment of general planning policies such as transportation modeling, transit, adequate public facilities, road code, climate protection and water resources and regional coordination on planning matters to promote solutions needed to serve existing development and accommodate planned growth. The division provides zoning text amendment and historic preservation expertise to other divisions, county agencies, the County Council, and the public.

**DIVISION OVERVIEW**

This Division provides functional and technical analyses to the other divisions of the department, the Planning Board and the public as appropriate and has lead responsibility for the preparation and maintenance of county-wide functional master plans as may be required through State Law, Art 28 or Art 66B. The Division is responsible for the quadrennial preparation of the Subdivision Staging/Growth Policy for the County and the regular reviews of state and local capital programs. The Division represents the Planning Board on local and regional policy concerns ranging from roadway design standards to water quality assessment.

**Mobility and Intermodal Networks:**

- Highway, transit and various kinds of analysis involving traffic generation, parking, transportation capacity, traffic flow modeling, and functional planning in the areas of highways, transit, bikeways and intermodal integration.
- Adequate Public Facilities (APF) ordinance within the context of the quadrennial Subdivision Staging Policy review, development review caseload and the development of master plans. The transportation APF review currently consists of two analytic processes, the Policy Area Mobility Review and the Local Area Transportation Review, as detailed in the Planning Board's *LATR/PAMR Guidelines*.



- Long-range travel demand forecasting services for both internal and external products using the TRAVEL/3 model, a four-step travel demand model developed from the Metropolitan Washington Council of Governments model. Staff coordination with state, regional, and other local transportation planning agencies and transportation service providers ensures that the connectivity in system-wide planning matches that of the regional transportation networks.

**Natural and Community Resources:**

- Coordination with Lead Agencies on environmental policy including climate change, sustainable planning and design practices, the Planning Board's *Environmental Guidelines*, and Forest Conservation Law.
- Subdivision and Zoning Ordinance Text Amendments.

**Historic Preservation:**

- The Historic Preservation Team packages all amendments to the Master Plan for Historic Preservation and processes Historic Area Work Permits and Montgomery County Historic Preservation Tax Credit applications.

**FY12 MAJOR CHANGES**

- New division created during the restructuring of the Planning Department.

## Historical Activities

This NDA contains a General Fund appropriation of \$287,090 and provides funding for the following agencies and programs:

- Historic Preservation Commission: The Historic Preservation Commission's main responsibility is to administer the historic preservation ordinance including recommending Montgomery County sites of potential historical significance. These efforts administered by the Maryland-National Capital Park and Planning Commission (M-NCPPC).
- Historical Society: Funding for the Montgomery County Historical Society provides support for the Society's Education Program staff, educational and outreach programs for County residents, and to maintain the Historical Society's research library and museums.

<b>FY12 Recommended Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY11 Approved</b>	<b>287,090</b>	<b>0.0</b>
<b>FY12 CE Recommended</b>	<b>287,090</b>	<b>0.0</b>

## Homeowners' Association Road Maintenance Reimburse.

This NDA provides a partial reimbursement to homeowners' associations (HOAs) for their maintenance of certain privately-owned roadways. The payment is currently restricted to through roadways, accessible to the public, which are one-quarter mile or longer and which provide vehicular access to more than four dwelling units. In FY97, an Executive Regulation was enacted allowing homeowners' associations to request that their roadways be deemed "private maintenance roads." This designation qualifies the HOAs for State reimbursement of their roadway maintenance costs. The County annually submits to the State its estimate of reimbursable miles, including those accepted as private maintenance roads. The State then reimburses the County and, subsequently, the County forwards the funds to HOAs.

<b>FY12 Recommended Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY11 Approved</b>	<b>16,000</b>	<b>0.0</b>
<b>FY12 CE Recommended</b>	<b>16,000</b>	<b>0.0</b>

## Housing Opportunities Commission

The Housing Opportunities Commission of Montgomery County (HOC) is a public body corporate and politic duly organized under Division II of the Housing Community Development Article of the Annotated Code of Maryland, as amended, known as the Housing Authorities Law. As such, the Commission act as a builder, developer, financier, owner, and manager of housing for people of low- and moderate- (eligible) income. The Commission also provides eligible families and individuals with affordable housing and supportive services.

<b>FY12 Recommended Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY11 Approved</b>	<b>5,804,040</b>	<b>0.0</b>
Reduce: Unspecified Reductions	-290,200	0.0
<b>FY12 CE Recommended</b>	<b>5,513,840</b>	<b>0.0</b>

## Inauguration & Transition

The Montgomery County Charter provides for the quadrennial election of a County Executive and County Council. This NDA provides for a ceremony and smooth transition of the County Executive and County Council every four years.

<b>FY12 Recommended Changes</b>	<b>Expenditures</b>	<b>WYs</b>
<b>FY11 Approved</b>	<b>5,000</b>	<b>0.0</b>
Decrease Cost: Elimination of One-Time Items Approved in FY11	-5,000	0.0
<b>FY12 CE Recommended</b>	<b>0</b>	<b>0.0</b>

## Independent Audit

Section 315 of the County Charter requires the County Council to contract with a Certified Public Accountant for an independent post audit of all financial records and actions of the County government, its officials, and employees. By County Resolution, the Office of Legislative Oversight is the designated administrator for this contract, which also includes an independent audit of basic financial statement of the Employee Retirement Plans; additional services related to reviews, tests, and certifications; and audit of tax-funded expenditures by the independent Fire and Rescue Corporations.